

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
LESLIE DICK WORLDWIDE, LTD. and LESLIE DICK,

Plaintiffs,

- against -

GEORGE SOROS, SOROS FUND MANAGEMENT  
LLC, SFM MANAGEMENT, LLC, CONSECO, INC.,  
VORNADO REALTY TRUST, GERMAN AMERICAN  
CAPITAL, CORP., DEUTSCHE BANK, AG., EASTDIL  
SECURED, LLC, HARRY MACKLOWE, FIG, LLC,  
CERBERUS CAPITAL MANAGEMENT, LP, LAZARD  
FRERES & CO., LLC, KIRKLAND & ELLIS, LLP,  
FRIED, FRANK, HARRIS, SHRIVER & JACOBSON  
LLP, CARMEL FIFTH, LLC, 767 MANAGER, LLC,  
DONALD J. TRUMP and John Does "1" through "10",

Defendants. :  
:  
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ELECTRONICALLY FILED

ECF CASE

Civil Action No. 08 CV 7900  
(BSJ) (THK)

**AFFIDAVIT IN OPPOSITION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF NEW YORK    )

RICHARD H. LANGSAM, being duly sworn, deposes and says:


1. I am a partner of PHILLIPS NIZER LLP. I make this affidavit in opposition to the plaintiffs' motion to disqualify my law firm from representing Donald J. Trump or 767 Manager, LLC. I have knowledge of the facts set forth herein.

2. In paragraph 5 of Mr. Dick's affidavit he states that he met with "at least six members of Phillips Nizer on at least ten occasions" regarding certain issues. I and Monte Engler are two of the attorneys apparently referenced in that paragraph.

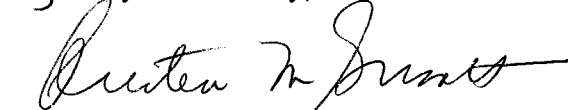
3. Mr. Engler and I are both members of the corporate department. I first met with Mr. Dick on April 2, 2008 and last spoke with him six days later on April 8<sup>th</sup>. Mr. Engler and I met with him on April 2, 2008. He brought with him to our meeting a memorandum of understanding. Mr. Dick asked us to redraft this memorandum, which I undertook to do. Mr. Dick also asked me to draft a second memorandum of understanding, which I did. After sending a draft of both documents to Mr. Dick, the three of us and Mr. Hantman met again on April 4, 2008 and Mr. Dick asked us to make some further revisions, which I did. That was the last time I saw Mr. Dick. On April 8<sup>th</sup>, Mr. Dick telephoned me with a question regarding New York City transfer taxes which I answered. I never heard from him again.

4. Other than knowing that Judge Lerner was consulting with Mr. Hantman on an appeal on which Mr. Hantman was representing the appellants, Mr. Dick did not tell me or Mr. Engler anything about that case during either meeting. Neither Mr. Dick nor Mr. Hantman shared any confidences with us concerning that case. At no time, did either Mr. Dick or Mr. Hantman say anything about any alleged claim he was considering against Donald J. Trump, who I knew to be a client of our firm.

5. I have reviewed the complaint in this action. The memoranda of understanding that I worked on were not related to the RICO and antitrust claims asserted in this lawsuit.

  
Richard H. Langsam

Sworn to before me this  
5<sup>th</sup> day of February, 2009.

  
Notary Public

KRISTINE M. GRISSETT  
NOTARY PUBLIC, State of New York  
No. 01GR6075310  
Qualified in New York County  
Commission Expires June 3, 2010

**CERTIFICATE OF SERVICE**

I hereby certify that I arranged for the annexed affidavit of Richard H. Langsam to be electronically filed on February 9, 2009, thereby serving all parties of record.

Dated: New York, New York  
February 9, 2009

s/ George Berger (GB 8924)